



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
919 ALA MOANA BOULEVARD, ROOM 113
HONOLULU, HAWAII 96814
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
February 18, 2015

The Honorable Della Au Belatti, Chair
House Committee on Health
Twenty-Eighth Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Representative Belatti and Members of the Committee:

SUBJECT: HB 119 HD1 – Relating to Health

The State Council on Developmental Disabilities (DD) **SUPPORTS HB 119 HD1**. The purpose of this bill is establish the Hawaii ABLE Savings Program by authorizing the Director of Finance to establish savings accounts that empower individuals with a disability and their families to save private funds to support the individual with a disability, and create the Hawaii ABLE Savings Program Trust Fund.

Public Law 113-295, known as the Achieving a Better Life Experience (ABLE) Act, was signed into law by President Obama on December 19, 2014. This law allows people with disabilities to open special accounts where they can save up to \$100,000 without risking eligibility for Social Security and other government programs. Moreover, individuals can keep their Medicaid coverage with an ABLE account.

The ABLE account is modeled after 529 (Section 529 of the Internal Revenue Code) college savings plans, where interest earned on savings will be tax-free. It allows individuals with disabilities the same types of flexible savings accounts that people without disabilities have, such as college savings accounts, health savings accounts, and individual retirement accounts. Furthermore, an ABLE account would enable individuals with a disability to accrue funds to pay for a variety of expenses, such as medical and dental care, education, community based supports, employment training, assistive technology, housing, and transportation.

Thank you for the opportunity to submit **supportive testimony for HB 119 HD1**.

Sincerely,

A handwritten signature in black ink, appearing to read "Waynette K.Y. Cabral".

Waynette K.Y. Cabral, M.S.W.
Executive Administrator

A handwritten signature in black ink, appearing to read "Rosie Rowe".

Rosie Rowe
Chair



TESTIMONY SUBMITTED BY
STUART SPIELMAN, SENIOR POLICY ADVISOR AND COUNSEL
HOUSE COMMITTEE ON HEALTH
FEBRUARY 18, 2015, AT 8:30 A.M.

H.B. 119, H.D.1 (ESTABLISHING A HAWAII ABLE SAVINGS PROGRAM)

Chair Au Belatti, Vice Chair Creagan, and Members of the Committee:

Thank you for the opportunity to submit testimony for Autism Speaks, the nation's leading Autism science and advocacy organization, in **strong support** of H.B. No. 119.

On December 19, 2014, the President signed into law H.R. 5771. Division B, Title I of this legislation was the Stephen Beck, Jr., Achieving a Better Life Experience ("ABLE") Act of 2014, which authorizes qualified ABLE programs. H.B. 119, H.D.1 being considered before your Committee would establish a Hawaii ABLE Savings Program.

The federal law was the culmination of an almost decade-long effort to create a new way for people with disabilities and their families to save for future disability expenses without losing eligibility for means-tested federal programs like Supplemental Security Income (SSI) and Medicaid. In testimony last summer before the Senate Finance Committee Subcommittee on Taxation and IRS Oversight, Bob D'Amelio, a volunteer advocate for Autism Speaks and the father of three children, two of whom are on the autism spectrum, offered this support for the ABLE Act:

An ABLE account would enable families like mine to save for housing, job supports, education, and other services without the fear of losing Social Security or Medicaid benefits. The current section 529 plans fall short for the many individuals with autism and other disabilities who cannot or choose not to go on to college. As much as anything else, the ABLE Act is about fairness. If Christi and I can use a college savings account to provide for our daughter Lindsey's future, why can't we use something similar to take care of Nicholas and Christopher?

I would love to sleep at night knowing that I was doing everything I could to secure the future of my children. My son Christopher is a very smart young man, but he will need a job coach and at some point a residential program. Saddling my daughter Lindsey with a big financial burden is not fair when Christi

and I can provide for Christopher. Lindsey is already mature beyond her ten years of age. She knows that she will be looking after Christopher and keeping tabs on Nicholas for her entire life.

Autism teaches you to be strong, to persevere when others tell you to give up, to celebrate the small steps in life, and to appreciate what you have. But autism demands your time and energy and changes how you live as a family. Parents like Christi and I want to do everything we can for our kids – for all of our kids, disabled or not. The ABLE Act would allow families to make the future more secure for children with disabilities, taking the burden off siblings, other family members, and government. Please take the simple step of passing ABLE. We all will sleep better when it becomes law.

Although Bob D’Amelio lives in North Carolina, he spoke for families around the country. Autism affects 1 in 68 children. ABLE programs, which are modeled after qualified tuition programs (also known as “529 plans”), offer families like D’Amelio’s a new opportunity to meet the future needs of their children.

Most states are considering ABLE programs. Two states, Massachusetts and Louisiana, authorized ABLE programs *prior* to passage of the federal law. Since the enactment of the federal law, fifteen states, including Hawaii, have introduced enabling legislation.

Autism Speaks supports these nationwide efforts to establish ABLE programs. In particular, we support H.B. No. 119 and thank you for affording people with autism and other disabilities a new means to save for disability-related expenses.



February 18, 2015

Hawaii ABLE Act (HB 119)
Chair Della Au Belatti
House Committee on Health

**The National Down Syndrome Society Written Testimony before the
House Committee on Health
February 18, 2015**

The National Down Syndrome Society (NDSS) is the largest nonprofit representing and advocating for people with Down syndrome and their families, with over 375 NDSS affiliate groups spanning all 50 states representing over 400,000 people with Down syndrome. ***NDSS strongly supports the passage of the ABLE Act in Hawaii.***

NDSS and Down syndrome advocates have worked tirelessly for eight years to pass the *Stephen J. Beck, Jr. Achieving a Better Life Experience (ABLE) Act* (H.R. 647/S. 313). NDSS DS-Ambassadors, affiliates and advocates in Hawaii were very active in this national effort securing both Senators Schatz and Hirono and Representative Gabbard as cosponsors of the ABLE Act. With 454 cosponsors in the House and Senate (85% of Congress), the ABLE Act was the most bipartisan piece of legislation in the 2013 Congress. Signed into law by President Obama on December 19, 2014, the ABLE Act amends the federal tax code to allow Section 529 tax-exempt savings accounts for disability-related expenses. We anticipate the same level of bipartisanship in the state legislatures as each work toward the passage and implementation of state 529 ABLE accounts.

Currently, people with disabilities cannot have more than \$2,000 worth of assets before critical government support programs they need are cut off. An ABLE account could fund a variety of essential expenses for individuals, including medical and dental care, education, community based supports, employment training, assistive technology, housing and transportation. People with Down syndrome are living longer, healthier and productive lives, working and contributing to society, yet they are forced to take low or no-paying jobs and live in poverty when they have the potential to achieve so much more.

The ABLE Act provides individuals with disabilities the same types of flexible savings tools that all other Americans have through college savings accounts, health savings accounts and individual retirement accounts. Families, who have been able to set up regular 529 college savings accounts for their non-disabled children, now for the first time can save for their children with disabilities.

As the national advocate for the value, acceptance and inclusion of people with Down syndrome, we strongly urge the State of Hawaii to pass Hawaii ABLE Act (HB 119) to enable individuals with disabilities and their families to save money to live meaningful, productive, and independent lives.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Hart Weir". The signature is fluid and cursive, with the first name "Sara" being the most prominent.

Sara Hart Weir, MS
President, National Down Syndrome Society
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New York, NY 10012
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sweir@ndss.org



COMMUNITY CHILDREN'S COUNCIL OF HAWAII
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February 17, 2015

Representative Della Au Belatti
Chair House Committee on Health – Hawaii State Capitol

RE: HB119, HD1- RELATING TO HEALTH

Dear Chair Belatti, and Vice-Chair Creagan, and Members of the Committees,

The 17 Community Children's Councils (CCCs) of Hawaii **strongly supports HB119, HD1** which establishes the Hawaii ABLE Savings Program by authorizing the Director of Finance to establish savings accounts that empower individuals with a disability and their families to save private funds to support the individual with a disability. Creates the Hawaii ABLE Savings Program Trust Fund.

The U.S. Senate overwhelmingly passed the Achieving a Better Life Experience (ABLE) Act of December 2014 by a vote of 76 to 16. First introduced in 2006, and subsequent sessions of Congress, the ABLE Act will allow people with disabilities (with an age of onset up to 26 years old) and their families the opportunity to create a tax-exempt savings account that can be used for maintaining health, independence and quality of life.

Millions of individuals with disabilities and their families depend on a wide variety of public benefits for income, health care and food and housing assistance. Eligibility for these public benefits (SSI, SNAP, Medicaid) require meeting a means or resource test that limits eligibility to individuals to report more than \$2,000 in cash savings, retirement funds and other items of significant value. To remain eligible for these public benefits, an individual must remain below a specified income level which runs counterintuitive to goals that we have for families and the person with the disability i.e. gainful employment etc. The ABLE Act recognizes the extra and significant costs of living with a disability. These include costs, related to raising a child with significant disabilities or a working age adult with disabilities, for accessible housing and transportation, personal assistance services, assistive technology and health care not covered by insurance, Medicaid or Medicare.

The CCCs recognize and thank the legislature in establishing and implementing the ABLE Act to ensure eligible individuals and families will be allowed to establish ABLE savings accounts that will not affect their eligibility for SSI, Medicaid and other public benefits.

The CCCs are community-based bodies comprised of parents, professionals in both public and private agencies and other interested persons who are concerned with specialized services provided to Hawaii's students. Membership is diverse, voluntary and advisory in nature. The CCCs are in rural and urban communities organized around the Complexes in the Department of Education.

We respectfully request your consideration of **HB119, HD1**. Should you have any questions or need additional information, please contact the Community Children's Council Office (CCCO) at 586-5363. Thank you for considering our testimony,

Tom Smith, Co-Chair
(Original signatures are on file with the CCCO)

Jessica Wong-Sumida, Co-Chair

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 18, 2015 5:57 AM
To: HLTtestimony
Cc: leolinda@resqconsultants.com
Subject: *Submitted testimony for HB119 on Feb 18, 2015 08:30AM*

HB119

Submitted on: 2/18/2015

Testimony for HLT on Feb 18, 2015 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Leolinda Parlin	Family Voices of HI	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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